

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GEORGE LAMONDE,

Plaintiff,

v.

BATH SAVER, INC., *et al.*,

Defendants.

:
:
:
:
:
:
:
:
:
:
:

CIVIL ACTION

NO. 21-2385

ORDER

AND NOW, this 3rd day of March 2022, upon consideration of Defendants Bath Saver, Inc. and Homespire Remodeling Group, LLC's ("Defendants" or "Bath Saver") Partial Motion to Dismiss (ECF No. 10) and Plaintiff George Lamonde's ("Plaintiff" or "Lamonde") Response in Opposition (ECF No. 11), **IT IS HEREBY ORDERED AND DECREED** that Defendants' Partial Motion to Dismiss is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Defendants' Motion is **GRANTED** as to Plaintiff's 2018 demotion;
 - a. Plaintiff's separate and distinct claim of discrimination based on his 2018 demotion is **DISMISSED WITH PREJUDICE**;
 - b. Defendants' Motion is **DENIED** as to Plaintiff's use of the facts surrounding his 2018 demotion to prove other discriminatory actions or intent; and
2. As to Counts I and II, Defendants' Motion is **DENIED** in all other respects.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.